



September 19, 2016

Submitted electronically via: e-ORI@dol.gov

The Honorable Phyllis C. Borzi
Assistant Secretary
Employee Benefits Security Administration
U.S. Department of Labor
200 Constitution Avenue, NW
Washington DC 20210

**Re: RIN 1210-AB63 – Proposed Revision of Annual Information Return/Reports
and Proposed Rule Regarding Annual Reporting and Disclosure**

Dear Assistant Secretary Borzi:

The National Business Group on Health is writing to request a 60-day extension of the comment period and a public hearing regarding proposed changes to the Form 5500 Annual Return/Report forms and implementing regulations.

The National Business Group on Health represents 420 primarily large employers, including 72 of the Fortune 100, who voluntarily provide group health plan coverage and other employee benefit plans to over 55 million American employees, retirees, and their families. Our members employ and provide health coverage under a wide variety of arrangements, including full-time, part-time, seasonal, and temporary. They often have multiple lines of business in multiple locations and tailor employee work and benefit arrangements to the specific needs of each line of business.

While we welcome the opportunity to provide comments on the Form 5500 proposals, we are concerned that a 75-day comment period will not allow our members sufficient time to fully evaluate the impact of the proposals and develop recommendations. Our concerns include the following:

- The current comment period coincides with the period in which many of our members are implementing new benefits and conducting open enrollments for 2017 calendar year plans. Therefore, many employee benefits personnel are devoting their time to current benefit plans and do not have additional resources to develop comments on the Form 5500 proposals.
- Implementing changes to Form 5500 as currently proposed will require substantially more information than our members currently maintain and extensive coordination with and between plans' third-party service providers. Our members will need more than 75 days to evaluate the potential impacts of these

proposals and consult with service providers to determine how, to what extent, and at what quality level they, as plan sponsors, can provide the information that the Department proposes to collect.

- Our members would benefit from a clearer understanding of the Department's underlying goals for the Form 5500 proposals and the views of other parties involved with compliance such as third-party service providers and retirement plans.

Therefore, we recommend that the Department hold a public hearing on the Form 5500 proposals and extend the comment period by 60 days.

Thank you for the opportunity to make recommendations regarding the proposed changes to Form 5500. Please contact me or Steven Wojcik, the National Business Group on Health's Vice President of Public Policy, at (202) 558-3012 if you would like to discuss our recommendations in more detail.

Sincerely,

A handwritten signature in black ink that reads "Brian J. Marcotte". The signature is written in a cursive style with a long, sweeping underline.

Brian J. Marcotte
President and CEO